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C O N F I D E N T I A L TEGUCIGALPA 000123

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TAGS: [KCRM](#) [KJUS](#) [PGOV](#) [PHUM](#) [SOCI](#) [HO](#)
SUBJECT: ARRESTS IN CASE OF MURDERED HONDURAN LAWYER
DIONISIO DIAZ GARCIA

REF: A. 07 TEGUCIGALPA 0306
[1](#)B. 06 TEGUCIGALPA 2377

Classified By: Charge' d'Affaires a.i. James Williard, reasons 1.4 (b & d)

[1](#)1. (C) SUMMARY: Honduran police arrested two suspects on January 31, 2008, for the killing of human rights lawyer Dionisio Diaz Garcia on December 4, 2006. The two are accused of shooting the lawyer from a motorcycle while the victim was driving a vehicle on his way to prepare a case against the security company SETECH (Technical Security Company of Honduras) on behalf of security guards. Police also searched the houses of both suspects and the offices of SETECH, whose owner is suspected of being the intellectual author of the crime. Based on public statements by and private discussions with Government of Honduras (GOH) officials, prosecutors and police now are pursuing the case against the primary intellectual suspect. END SUMMARY.

[1](#)2. (C) Honduran human rights prosecutor Sandra Ponce confirmed the arrest on January 31, 2008, of two material suspects in the killing of Dionisio Diaz Garcia on December 4, 2006 (ref. A). One suspect, Ramon Eusebio Solis Zelaya, an employee with the security company SETECH (Technical Security Company of Honduras), was arrested in La Ceiba and brought to Tegucigalpa. The other suspect, Cesar Daniel Amador Estrada, a detective in the assault unit at the Direccion General de Investigacion Criminal (DGIC) and former employee of SETECH, was arrested at an office of the DGIC in Tegucigalpa. The following day, police searched both of their houses, but that of Solis Zelaya had been cleaned out. They also searched the offices of SETECH to gather evidence against the owner and primary intellectual suspect, Honduran Selvin Richard Swasey. Threats against Diaz Garcia began when the Judge Executor of the Labor Tribunal confiscated a vehicle from SETECH and placed in in escrow as a means of guaranteeing a payment owed to twelve security guards (ref. B).

[1](#)3. (C) The Honduran nongovernmental organization (NGO) Association for a More Just Society (ASJ) firmly believes that Swasey was the intellectual author of the killing. Swasey arrived on the scene of the arrest in La Ceiba with his lawyer and first tried to stop the arrest, then tried to convince the police that the lawyer be allowed to ride in the car with the suspect from La Ceiba to Tegucigalpa; however, the police again refused. According to AMCIT Kurt Ver Beek, an executive member of ASJ, Swasey's first reaction was a threat, saying he knew who was behind this and that they will pay. The arrests were the result of combined operations by agents of the DGIC and prosecutors of the Public Ministry

with support from judicial officials. Some DGIC colleagues of Amador Estrada tried to stop the arrest, but the DGIC Director insisted. Based on witness testimony and evidence, the suspects were held over for trial in custody by a criminal court in Tegucigalpa on February 5 and face 20-30 years imprisonment if convicted. Evidence found in Amador Estrada's home indicates that both suspects received money from SETECH to kill Garcia.

¶4. (C) Shortly after the murder in December 2006, the Ambassador raised the case at the highest levels of the Government of Honduras (GOH) (including the President, Minister of Internal Security, the Attorney General, the President of the Supreme Court, and the Human Rights Commissioner), discussed it with the press, and continued to bring it up in meetings with them during the year. EmbOffs also conferred with the GOH police unit handling the case on a regular basis, and Legatt San Salvador advised the Public Ministry how to investigate the case. The police assured RSO that police protection was being provided to members of ASJ, five of whom now are AMCITS. We also informed Ver Beek how to contact our consular section in case of emergency.

¶5. (C) COMMENT: In a conversation that the Ambassador had with the Honduran Attorney General in December 2007, the Attorney General indicated his confidence that there soon would be a breakthrough in the case. This was consistent with reports received by EmbOffs from representatives of ASJ that the investigation was reorganized in a more coordinated fashion among fewer prosecutors within the Public Ministry. The human rights prosecutor, Sandra Ponce, was quoted in the local press that the belief is that there also is an intellectual author of the crime, and they believe the motive of the crime was because of the lawyer's activities as a defender of human rights. She then told PolOff that the

primary intellectual suspect, Swasey, was a very dangerous individual. The Ambassador discussed the arrests that evening with the new Minister of Internal Security, Jorge Rodas Gamero, who indicated that the police were intent on arresting Swasey as well. The Embassy is requesting information to build a case against Swasey in order to consider revoking his visa. END COMMENT.
WILLIARD